



August 8, 1831 } Kepler p. 238  
August 30, 1831 } Signed by President  
July 20, 1831 } Andrew Jackson  
Jan. 19, 1832 }  
March 24 1832 }

1832 Kepler p. 246  
1831 Ottawa Ind. p. Kepler 242  
1832 March 24 Kepler 247

Removal of the Indians  
Signed by Pres. A. Jackson

## REMOVAL

## Removal of the Indians

1) Treaty with the Ottawa Indians Sept 30, 1831

(Re Kappler Page 242 Vol. 2)

2) Treaty with the Wyandot Jan. 19, 1832

(Kappler Page 246)

3) Treaty with the Creeks, March 24, 1832

(Kappler P. 247)

4) Treaty with the SHAWNEE, Aug. 8, 1831

(Kappler P. 238)

5) Treaty with the Senecas, July 20, 1831

(Kappler P. 235)

1/ The OTTOWAY INDIANS  
2/ WYANDOT  
3/ CREEK TRIBE  
4/ SHANNEE  
5/ SENECA & SHAWNEE  
TREATIES WITH INDIAN TRIBES.

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*Copies of Treaties concluded with several Indian Tribes.*

APRIL 19, 1832.

Read, and laid upon the table.

WASHINGTON, April 19, 1832.

*To the Senate and House of Representatives:*

I transmit, herewith, printed copies of each of the treaties between the United States and Indian tribes, that have been ratified during the present session of Congress.

ANDREW JACKSON.

*Treaty between the United States of America and the Ottoway Indians, concluded August 30, 1831. Ratified April 6, 1832.*

ANDREW JACKSON,  
PRESIDENT OF THE UNITED STATES OF AMERICA.

*To all and singular to whom these presents shall come, greeting:*

Whereas, a treaty between the United States of America and the Ottoway Indians, was made and concluded at the Indian Reserve, on the Miami of Lake Erie, on the thirtieth day of August, in the year of our Lord one thousand eight hundred and thirty-one, by James B. Gardiner, commissioner on the part of the United States, and certain chiefs, headmen, and warriors of the band of Ottoway Indians, residing within the State of Ohio, on the part of the said band; which treaty is in the words following, to wit: Articles of agreement and convention made and concluded this thirtieth day of August, in the year of our Lord one thousand eight hundred and thirty-one, by and between James B. Gardiner, specially appointed commissioner on the part of the United States, on the one part, and the chiefs,

TREATIES WITH THE INDIANS 1832

headmen, and warriors, of the band of Ottoway Indians, residing within the State of Ohio, on the other part, for a cession of the several tracts of land now held and occupied by said Indians within said State, by reservations made under the treaty concluded at Detroit on the 17th day of November, 1807, and the treaty made at the foot of the rapids of the Miami river of Lake Erie, on the 29th of September, 1817.

Whereas, the President of the United States, under the authority of the act of Congress, approved May 28, 1830, has appointed a special commissioner to confer with the different Indian tribes residing within the constitutional limits of the State of Ohio, and to offer for their acceptance, the provisions of the beforementioned act: And, whereas, the band of Ottoways residing on Blanchard's fork of the Great Auglaize river, and on the Little Auglaize river, at Oquanoxa's village, have expressed their consent to the conditions of said act, and their willingness to remove west of the Mississippi, in order to obtain a more permanent and advantageous home for themselves and their posterity:

Therefore, in order to carry into effect the aforesaid objects, the following articles of convention have been agreed upon, by the aforesaid contracting parties, which, when ratified by the President of the United States, by and with the consent of the Senate thereof, shall be mutually binding upon the United States and the aforesaid band of Ottoway Indians.

#### ARTICLE I.

The band of Ottoway Indians, residing on Blanchard's fork of the Great Auglaize river, and at Oquanoxa's village on the Little Auglaize river, in consideration of the stipulations herein made on the part of the United States, do for ever cede, release and quit claim to the United States, the lands reserved to them by the last clause of the sixth article of the treaty made at the foot of the rapids of the Miami of the Lake, on the 29th of September, 1817; which clause is in the following words: "There shall be reserved for the use of the Ottoway Indians, but not granted to them, a tract of land on Blanchard's fork of the Great Auglaize river, to contain five miles square, the centre of which tract is to be where the old trace crosses the said fork; and one other tract, to contain three miles square on the Little Auglaize river, to include Oquanoxa's village;" making, in said cession, twenty-one thousand seven hundred and sixty acres.

#### ARTICLE II.

The chiefs, headmen and warriors of the band of the Ottoway Indians, residing at and near the places called *Roche de Boeuf* and Wolf rapids, on the Miami river of Lake Erie, and within the State of Ohio, wishing to become parties to this convention, and not being willing, at this time, to stipulate for their removal west of the Mississippi; do hereby agree, in consideration of the stipulations herein made for them on the part of the United States, to cede, release and forever quit claim to the United States the following tracts of land reserved to them by the treaty made at Detroit, on the 17th day of November, 1807, to wit: the tract of six miles square above *Roche de Boeuf*, to include the village where Tondagonie, (or dog) formerly lived; and also, three miles square at the Wolf rapids aforesaid, which was substituted for the three miles square granted by the said treaty of Detroit to the said Ottoways, "to include *Presque Isle*," but which could not be

granted as stipulated in said treaty of Detroit, in consequence of its collision with the grant of twelve miles square to the United States by the treaty of Greenville; making, in the whole cession made by this article, twenty-eight thousand one hundred and fifty-seven acres, which is exclusive of a grant made to Yellow Hair (or Peter Minor) by the 8th article of the treaty at the foot of the rapids of Miami, on the 29th of September, 1817, and for which the said Minor holds a patent from the General Land Office for 643 acres.

#### ARTICLE III.

In consideration of the cessions made in the first article of this convention, the United States agree to cause the band of Ottoways residing on Blanchard's fork, and at Oquanox's village, as aforesaid, consisting of about two hundred souls, to be removed, in a convenient and suitable manner, to the western side of the Mississippi river; and will grant, by patent in fee simple, to them and their heirs forever, as long as they shall exist as a nation, and remain upon the same, a tract of land to contain thirty-four thousand acres, to be located adjoining the south or west line of the reservation, equal to fifty miles square, granted to the Shawnees of Missouri and Ohio, on the Kansas river and its branches, by the treaty made at St. Louis, November 7, 1825.

#### ARTICLE IV.

The United States will defray the expense of the removal of the said band of Ottoways, and will, moreover, supply them with a sufficiency of good and wholesome provisions, to support them for one year after their arrival at their new residence.

#### ARTICLE V.

In lieu of the improvements which have been made on the lands ceded by the first article of this convention, it is agreed that the United States shall advance to the Ottoways of Blanchard's fork and Oquanox's village, the sum of two thousand dollars, to be reimbursed from the sales of the lands ceded by the said first article. And it is expressly understood, that this sum is not to be paid until the said Ottoways arrive at their new residence, and that it is for the purpose of enabling them to erect houses, and open farms, for their accommodation and subsistence in their new country. A fair and equitable distribution of this sum shall be made by the chiefs of the said Ottoways, with the consent of their people in general council assembled, to such individuals of their band as may have made improvements on the lands ceded by the first article of this convention, and may be properly entitled to the same.

#### ARTICLE VI.

The farming utensils, live stock and other chattel property, which the said Ottoways of Blanchard's fork and Oquanox's village now own, shall be sold, under the superintendence of some suitable person appointed by the Secretary of War, and the proceeds paid to the owners of such property respectively.

#### ARTICLE VII.

The United States will expose to sale, to the highest bidder, in the manner of selling the public lands, the tracts ceded by the first article of this con-



vention, and, after deducting from the proceeds of such sales, the sum of seventy cents per acre, exclusive of the cost of surveying, and the sum of two thousand dollars advanced in lieu of improvements; it is agreed that the balance, or so much thereof as may be necessary, shall be hereby guaranteed for the payment of the debts which the said Ottoways of Blanchard's fork and Oquanoxa's village may owe in the State of Ohio and the Territory of Michigan, and agree to be due by them, as provided in the sixteenth article of this convention; and any surplus of the proceeds of said lands, which may still remain, shall be vested by the President in Government stock, and five per cent. thereon shall be paid to the said Ottoways of Blanchard's fork and Oquanox's village, as an annuity, during the pleasure of Congress.

#### ARTICLE VIII.

It is agreed that the said band of Ottoways of Blanchard's fork and Oquanoxa's village, shall receive, at their new residence, a fair proportion of the annuities due to their nation by former treaties, which shall be apportioned under the direction of the Secretary of War, according to their actual numbers.

#### ARTICLE IX.

The lands granted by this agreement and convention to the said band of Ottoways residing at Blanchard's fork and Oquanox's village, shall not be sold nor ceded by them, except to the United States. And the United States guarantee that said lands shall never be within the bounds of any State or Territory, nor subject to the laws thereof; and further, that the President of the United States will cause said band to be protected at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, and from any other person or persons whatever; and he shall have the same care and superintendence over them in the country to which they design to remove, that he now has at their present residence.

#### ARTICLE X.

As an evidence of the good will and kind feelings of the people of the United States towards the said band of Ottoways of Blanchard's fork and Oquanox's village, it is agreed that the following articles shall be given them, as presents, to wit: eighty blankets, twenty five rifle guns, thirty-five axes, twelve ploughs, twenty sets of horse gears, and Russia sheeting sufficient for tents for their whole band; the whole to be delivered according to the discretion of the Secretary of War.

#### ARTICLE XI.

In consideration of the cessions made in the second article of this convention, by the chiefs, headmen and warriors of the band of Ottoways residing at *Roche de Boeuf* and Wolf rapids, it is agreed that the United States will grant to said band by patent, in fee simple, forty thousand acres of land west of the Mississippi, adjoining the lands assigned to the Ottoways of Blanchard's fork and Oquanox's village, or in such other situation as they may select, on the unappropriated lands in the district of country designed for the emigrating Indians of the United States. And whenever the said band may think proper to accept of the above grant, and remove west of the Mississippi, the United States agree that they shall be removed and subsisted by the Government, in the same manner as is provided in this convention for

their brethren of Blanchard's fork, and Oquanox's village, and they shall receive like presents, in proportion to their actual numbers, under the direction of the Secretary of War. It is also understood and agreed that the said band, when they shall agree to remove west of the Mississippi, shall receive their proportion of the annuities due their nation by former treaties, and be entitled, in every respect, to the same privileges, advantages, and protection, which are herein extended to their brethren and the other emigrating Indians of the State of Ohio.

## ARTICLE XII.

The lands ceded by the second article of this convention, shall be sold by the United States to the highest bidder in the manner of selling the public lands, and, after deducting from the avails thereof, *seventy* cents per acre, exclusive of the cost of surveying, the balance is hereby guaranteed to discharge such debts of the Ottoways, residing on the river and bay of the Miami of Lake Erie, as they may herein acknowledge to be due, and wish to be paid. And whatever overplus may remain of the avails of said lands, after discharging their debts as aforesaid, shall be paid to them in money, provided they shall refuse to remove west of the Mississippi, and wish to seek some other home among their brethren in the Territory of Michigan. But should the said band agree to remove west of the Mississippi, then any overplus which may remain to them, after paying their debts, shall be invested by the President, and five per centum paid to them as an annuity, as is provided for their brethren by this convention.

## ARTICLE XIII.

At the request of the chiefs residing at *Roche de Boeuf* and Wolf rapids, it is agreed that there shall be reserved for the use of *War-be-ga-kake*, (one of the chiefs,) for three years only from the signing of this convention, a section of land, below and adjoining the section granted to and occupied by Yellow Hair, or Peter Minor; and, also, there is reserved, in like manner, and for the term of three years, and no longer, for the use of *Muck-qui-on-a*, or Bearskin, one section and a half below Wolf rapids, and to include his present residence and improvements. And it is also agreed, that the said Bearskin, shall have the occupancy of a certain small island in the Maumee river, opposite his residence, where he now raises corn, which island belongs to the United States, and is now unsold; but the term of this occupancy is not guaranteed for three years, but only so long as the President shall think proper to reserve the same from sale. And it is further understood, that any of the temporary reservations made by this article, may be surveyed and sold by the United States, subject to the occupancy of three years hereby granted to the aforesaid Indians.

## ARTICLE XIV.

At the request of the chiefs of *Roche de Boeuf* and Wolf rapids, there is hereby granted to Hiram Thebeault (a half blooded Ottoway,) a quarter section of land, to contain one hundred and sixty acres, and to include his present improvements, at the Bear rapids of the Miami of the Lake. Also, one quarter section of land, to contain like quantity, to William McNabb, (a half blooded Ottoway,) to adjoin the quarter section granted to Hiram Thebeault. In surveying the above reservations, no greater front is to be given on the river, than would properly belong to said quarter sections, in the common manner of surveying the public lands.



## ARTICLE XV.

At the request of the chiefs of *Roche de Boeuf* and Wolf rapids, there is granted to the children of Yellow Hair, (or Peter Minor,) one half section of land, to contain three hundred and twenty acres, to adjoin the north line of the section of land now held by said Peter Minor, under patent from the President of the United States, bearing date the 24th of November, 1827; and the lines are not to approach nearer than one mile to the Miami river of the Lake.

## ARTICLE XVI.

It is agreed by the chiefs of Blanchard's fork and Oquanox's village, and the chiefs of *Roche de Boeuf* and Wolf rapids, jointly, that they are to pay, out of the surplus proceeds of the several tracts herein ceded by them, equal proportions of the claims against them by John E. Hunt, John Hollister, Robert A. Forsythe, Payne C. Parker, Peter Minor, Theodore E. Phelps, Collister Haskins, and S. and P. Carlan. The chiefs aforesaid acknowledge the claim of John E. Hunt, to the amount of five thousand six hundred dollars; the claim of John Hollister, to the amount of five thousand and six hundred dollars; the claim of Robert A. Forsythe, to the amount of seven thousand five hundred and twenty-four dollars, in which is included the claims assigned to said Forsythe by Isaac Hull, Samuel Vance, A. Peltier, Oscar White, and Antoine Lepoint. They also allow the claim of Payne C. Parker, to the amount of five hundred dollars; the claim of Peter Minor, to the amount of one thousand dollars; the claim of Theodore E. Phelps, to the amount of three hundred dollars; the claim of Collister Haskins, to the amount of fifty dollars, but the said Haskins claims fifty dollars more, as his proper demand; and the claim of S. and P. Carlan, to the amount of three hundred and ninety-eight dollars and twenty-five cents. The aforesaid chiefs also allow the claim of Joseph Laronger, to the amount of two hundred dollars, and the claim of Daniel Lakin, to the amount of seventy dollars. Notwithstanding the above acknowledgments and allowances, it is expressly understood and agreed, by the respective parties to this compact, that the several claims in this article, and the items which compose the same, shall be submitted to the strictest scrutiny and examination of the Secretary of War, and the accounting officers of the Treasury Department, and such amount only shall be allowed as may be found just and true.

## ARTICLE XVII.

On the ratification of this convention, the privileges of every description, granted to the Ottoway nation within the State of Ohio, by the treaties under which they hold the reservations of land herein ceded, shall forever cease and determine.

## ARTICLE XVIII.

Whenever the deficiency of five hundred and eighty dollars, which accrued in the annuities of the Ottoways for 1830, shall be paid, the parties to this convention, residing on Blanchard's fork and Oquanoxa's village, shall receive their fair and equitable portion of the same, either at their present or intended residence.

## ARTICLE XIX.

The chiefs signing this convention, also agree, in addition to the claims

allowed in the sixteenth article thereof, that they owe John Anderson two hundred dollars, and Francis Lavoy two hundred dollars.

## ARTICLE XX.

It is agreed that there shall be allowed to *Nau-on-quai-que-zhick*, one hundred dollars, out of the surplus fund accruing from the sales of the lands herein ceded, in consequence of his not owing any debts, and having his land sold to pay the debts of his brethren.

In testimony whereof, the aforesaid parties to this convention have hereunto set their hands and seals, at the Indian reserve, on the Miami bay of Lake Erie, the day and year above written.

JAMES B. GARDINER,

Ar-taish-nai-wau,	his x mark	[L. s.]
O-quai-naas-a,	his x mark	[L. s.]
Os-cha-no, or Charlo,	his x mark	[L. s.]
Quacint,	his x mark	[L. s.]
Waw ba-ga-kake,	his x mark	[L. s.]
Che-cauk,	his x mark	[L. s.]
Peton-o-quet,	his x mark	[L. s.]
Oshaw-wa-non,	his x mark	[L. s.]
Pe-nais we,	his x mark	[L. s.]
Nau qua-ga-sheek,	his x mark	[L. s.]
Pe-nais-won-quet,	his x mark	[L. s.]
Pe-she-keinee,	his x mark	[L. s.]
Cum-chaw, (Blanchard's fork)	his x mark	[L. s.]
Cum-chaw, (Wolf rapids)	his x mark	[L. s.]
Sus-sain,	his x mark	[L. s.]
Ca-ba-yaw,	his x mark	[L. s.]
O sho quene,	his x mark	[L. s.]
Muc co-tai-pee-nai-see,	his x mark	[L. s.]
O-sage,	his x mark	[L. s.]
Pan-tee,	his x mark	[L. s.]
Me-sau-kee,	his x mark	[L. s.]
O mus-se-nau,	his x mark	[L. s.]
Non-dai-wau,	his x mark	[L. s.]
E-au-Vaince,	his x mark	[L. s.]

Signed and sealed in the presence of

William Walker, *Sec. to the Commissioner.*

R. A. Forsythe, *Sub-Agt. Ind. Affairs.*

Henry Conner, *Sub-Agent.*

John Anderson,

John McDouell,

Daniel B. Miller,

Levi S. Humphrey,

James H. Forsyth,

William Wilson,

Lambert Cauchois,

George B. Knaggs,

J. J. Godfroy,

I do hereby certify, that each article of the foregoing convention, was fairly interpreted, and fully explained by me, to the chiefs, headmen and warriors who have signed the same.

HENRY CONNER, *Interpreter.*

Now, therefore, be it known, that I, Andrew Jackson, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the fourth of April, one thousand eight hundred and thirty-two, accept, ratify, and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this sixth day of April, in the year of our Lord one thousand eight hundred and thirty-two, and [L. S.] of the Independence of the United States the fifty-sixth.

ANDREW JACKSON.

By the President:

EDWARD LIVINGSTON,

*Secretary of State.*

---

*Treaty between the United States of America and the Wyandot band of Indians, concluded January 19, 1832. Ratified April 6, 1832.*

ANDREW JACKSON,

PRESIDENT OF THE UNITED STATES OF AMERICA.

*To all and singular to whom these presents shall come, greeting:*

Whereas, a treaty between the United States of America, and the Wyandot band of Indians, was made and concluded at McCutcheonsville, Crawford county, Ohio, on the nineteenth day of January, in the year of our Lord one thousand eight hundred and thirty-two, by JAMES B. GARDINER, commissioner on the part of the United States, and certain chiefs, headmen, and warriors, of the band of Wyandots, residing at the Big Spring, in the county of Crawford, and State of Ohio, on the part of said band; which treaty is in the words following, to wit:

Articles of agreement and convention made and concluded at McCutcheonsville, Crawford county, Ohio, on the 19th day of January, 1832, by and between James B. Gardiner, specially appointed commissioner on the part of the United States, and the chiefs, headmen, and warriors of the band of Wyandots, residing at the Big Spring, in said county of Crawford, and owning a reservation of 16,000 acres at that place.

Whereas, the said band of Wyandots have become fully convinced that, whilst they remain in their present situation in the State of Ohio, in the vicinity of a white population which is continually increasing and crowding around them, they cannot prosper and be happy, and the morals of many of their people will be daily becoming more and more vitiated: And understanding that the Government of the United States is willing to purchase the reservation of land on which they reside, and for that purpose have deputed the said James B. Gardiner as special commissioner to treat for a cession of the same—Therefore, to effect the aforesaid objects, the said chiefs, headmen and warriors, and the said James B. Gardiner, have this day entered into and agreed upon the following articles of convention.

#### ARTICLE I.

The band of Wyandots residing at the Big Spring, in the county of Crawford, and State of Ohio, do hereby forever cede and relinquish to the United

States the reservation of sixteen thousand acres of land, granted to them by the second article of the treaty made at St. Mary's, on the seventeenth day of September, eighteen hundred and eighteen, which grant is in the following words, to wit: "There shall be reserved for the use of the Wyandots residing at Solomon's town and on Blanchard's fork, sixteen thousand acres of land, to be laid off in a square form, on the head of Blanchard's fork, the centre of which shall be at the Big Spring, on the road leading from Upper Sandusky to Fort Findlay."

## ARTICLE II.

The United States stipulate with the said band of Wyandots, that, as soon as practicable after the ratification of this treaty, the aforesaid tract of sixteen thousand acres, shall be surveyed into sections, and put into market and sold in the ordinary manner of selling the public lands of the United States; and when the same shall be sold, or as soon as any part thereof shall be disposed of, (be the price received therefor more or less) there shall be paid to the chiefs, headmen, and warriors, signing this treaty, for the benefit of all of the said band of Wyandots, the sum of one dollar and twenty-five cents per acre, for each and every acre so sold or for sale. The said price shall be paid in silver, and in the current coin of the United States.

## ARTICLE III.

For the improvements now made upon said reservation, the United States agree to pay a fair valuation in money, according to the appraisement of Joseph McCutcheon, esq. (or such person as the Secretary of War may depute for that purpose,) and an appraiser to be chosen by the said band of Wyandots. And in case the said appraisers shall not be able to agree upon any of their valuations, they shall call to their assistance some competent citizen of the county of Crawford.

## ARTICLE IV.

There shall be reserved for Roe-nu-nass, one of the oldest chiefs of said band, one half section, to contain three hundred and twenty acres, and to include the improvements where he now lives.

## ARTICLE V.

It is expressly understood between the present contracting parties, that the said band of Wyandots, may, as they think proper, remove to Canada, or to the river Huron in Michigan, where they own a reservation of land, or to any place they may obtain a right or privilege from other Indians to go.

## ARTICLE VI.\*

It was expressly agreed, before the signing of this treaty, that that part of the fifth article relating to the granting to the said band of Wyandots lands west of the Mississippi, and every other article in relation thereto, is wholly null and void, and of no effect.

## ARTICLE VII.

Inasmuch as the band of Wyandots herein treating, have separated themselves from the Wyandots at Upper Sandusky, and on the Sandusky plains;

\* After signing, it was mutually agreed to expunge this article.

they ask of the General Government that there may be a special sub-agent and protector appointed for them whilst they remain in the State of Ohio, and they respectfully recommend Joseph McCutcheon, esq. of the county Crawford, as a fit and proper person to act in such capacity; and that he may have the power to employ such interpreter as he may think proper, in his intercourse with said band.

The aforesaid articles of agreement shall be mutually binding upon the present contracting parties, when ratified by the President of the United States, by and with the consent of the Senate thereof.

J. B. GARDINER, [SEAL.]

Roe-nu nass,	his x mark.
Bear-skin,	his x mark.
Shi-a wa, or John Solomon,	his x mark.
John McLean,	his x mark.
Matthew Grey-eyes,	his x mark.
Isaac Driver,	his x mark.
John D. Brown.	
Alex. Clarke.	

Done in presence of,

C. Clarke, *Secretary to the Commissioner.*

Joseph McCutcheon,

*Justice of the Peace in the county of Crawford, Ohio.*

John C. Dewitt,

Richard Reynolds,

G. W. Sampson.

#### EXPLANATION.

In the first draft of this treaty, provision was made for the removal of the band west of the Mississippi; but they refused to accept of a grant of land, or to remove there, and the articles having relation thereto were accordingly omitted. It was therefore necessary to omit the 6th article; and circumstances did not admit of time to remodel and copy the whole treaty.

J. B. GARDINER,

*Special Commissioner, &c.*

Now, therefore, be it known, that I, Andrew Jackson, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the fourth of April, one thousand eight hundred and thirty-two, accept, ratify, and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this sixth day of April, in the year of our Lord one thousand eight hundred and thirty-two, and of the [L. s.] Independence of the United States the fifty-sixth.

ANDREW JACKSON.

By the President:

EDW. LIVINGSTON,

*Secretary of State.*



*Treaty between the United States of America and the Creek tribe of Indians, concluded April 4, 1832.*

ANDREW JACKSON,

PRESIDENT OF THE UNITED STATES OF AMERICA.

*To all and singular to whom these presents shall come, greeting:*

Whereas a treaty between the United States of America and the Creek tribe of Indians, was made and concluded at the city of Washington on the twenty-fourth day of March, in the year of our Lord one thousand eight hundred and thirty-two, by Lewis Cass, commissicner on the part of the United States, and certain chiefs of the tribe aforesaid, on the part of said tribe; which treaty is in the words following, to wit:

Articles of a treaty made at the city of Washington, between Lewis Cass, thereto specially authorized by the President of the United States, and the Creek tribe of Indians.

ARTICLE I.

The Creek tribe of Indians cede to the United States all their land east of the Mississippi river.

ARTICLE II.

The United States engage to survey the said land, as soon as the same can be conveniently done, after the ratification of this treaty; and when the same is surveyed, to allow ninety principal chiefs of the Creek tribe to select one section each, and every other head of a Creek family to select one half section each; which tracts shall be reserved from sale for their use, for the term of five years, unless sooner disposed of by them. A census of these persons shall be taken under the direction of the President, and the selections shall be made so as to include the improvements of each person within his selection, if the same can be so made; and if not, then all the persons belonging to the same town, entitled to selections, and who cannot make the same so as to include their improvements, shall take them in one body in a proper form. And twenty sections shall be selected, under the direction of the President, for the orphan children of the Creeks, and divided and retained, or sold for their benefit, as the President may direct. Provided, however, that no selections or locations under this treaty shall be so made as to include the agency reserve.

ARTICLE III.

These tracts may be conveyed by the persons selecting the same, to any other persons for a fair consideration, in such manner as the President may direct. The contract shall be certified by some person appointed for that purpose by the President, but shall not be valid till the President approves the same. A title shall be given by the United States on the completion of the payment.

ARTICLE IV.

At the end of five years, all the Creeks entitled to these selections, and desirous of remaining, shall receive patents therefor in fee simple, from the United States.

## ARTICLE V.

All intruders upon the country hereby ceded, shall be removed therefrom in the same manner as intruders may be removed by law from other public land, until the country is surveyed, and the selections made; excepting, however, from this provision, those white persons who have made their own improvements, and not expelled the Creeks from theirs. Such persons may remain till their crops are gathered. After the country is surveyed and the selections made, this article shall not operate upon that part of it not included in such selections. But intruders shall, in the manner before described, be removed from these selections for the term of five years from the ratification of this treaty, or until the same are conveyed to white persons.

## ARTICLE VI.

Twenty-nine sections, in addition to the foregoing, may be located, and patents for the same shall then issue to those persons, being Creeks, to whom the same may be assigned by the Creek tribe. But whenever the grantees of these tracts possess improvements, such tracts shall be so located as to include the improvements, and as near as may be in the centre. And there shall also be granted by patent to Benjamin Marshall, one section of land, to include his improvements on the Chattahoochee river, to be bounded for one mile in a direct line along the said river, and to run back for quantity. There shall also be granted to Joseph Bruner, a colored man, one half section of land for his services as an interpreter.

## ARTICLE VII.

All the locations authorized by this treaty, with the exception of that of Benjamin Marshall, shall be made in conformity with the lines of the surveys; and the Creeks relinquish all claim for improvements.

## ARTICLE VIII.

An additional annuity of twelve thousand dollars shall be paid to the Creeks, for the term of five years; and, thereafter, the said annuity shall be reduced to ten thousand dollars, and shall be paid for the term of fifteen years. All the annuities due to the Creeks shall be paid in such manner as the tribe may direct.

## ARTICLE IX.

For the purpose of paying certain debts due by the Creeks, and to relieve them in their present distressed condition, the sum of one hundred thousand dollars shall be paid to the Creek tribe as soon as may be after the ratification hereof, to be applied to the payment of their just debts, and then to their own relief, and to be distributed as they may direct, and which shall be in full consideration of all improvements.

## ARTICLE X.

The sum of sixteen thousand dollars shall be allowed as a compensation to the delegation sent to this place, and for the payment of their expenses, and of the claims against them.

## ARTICLE XI.

The following claims shall be paid by the United States:

For ferries, bridges, and causeways, three thousand dollars, provided that the same shall become the property of the United States.

For the payment of certain judgments obtained against the chiefs, eight thousand five hundred and seventy dollars.

For losses for which they suppose the United State responsible, seven thousand seven hundred and ten dollars.

For the payment of improvements under the treaty of 1826, one thousand dollars.

The three following annuities shall be paid for life:

To Tuske-hew-haw Cusetaw, two hundred dollars.

To the Blind Uchu King, one hundred dollars.

To Neah Mico one hundred dollars.

There shall be paid the sum of fifteen dollars for each person who has emigrated without expense to the United States, but the whole sum allowed under this provision shall not exceed fourteen hundred dollars.

There shall be divided among the persons who suffered in consequence of being prevented from emigrating, three thousand dollars.

The land hereby ceded shall remain as a fund from which all the foregoing payments, except those in the ninth and tenth articles, shall be paid.

## ARTICLE XII.

The United States are desirous that the Creeks should remove to the country west of the Mississippi, and join their countrymen there; and, for this purpose it is agreed that, as fast as the Creeks are prepared to emigrate, they shall be removed at the expense of the United States, and shall receive subsistence while upon the journey; and for one year after their arrival at their new homes. Provided, however, that this article shall not be construed so as to compel any Creek Indian to emigrate, but they shall be free to go or stay, as they please.

## ARTICLE XIII.

There shall also be given to each emigrating warrior, a rifle, moulds, wiper, and ammunition, and to each family, one blanket. Three thousand dollars, to be expended as the President may direct, shall be allowed for the term of twenty years, for teaching their children. As soon as half their people emigrate, one blacksmith shall be allowed them, and another when two-thirds emigrate, together with one ton of iron and two hundred weight of steel, annually, for each blacksmith. These blacksmiths shall be supported for twenty years.

## ARTICLE XIV.

The Creek country west of the Mississippi shall be solemnly guaranteed to the Creek Indians, nor shall any State or Territory ever have a right to pass laws for the government of such Indians, but they shall be allowed to govern themselves, so far as may be compatible with the general jurisdiction which Congress may think proper to exercise over them. And the United States will also defend them from the unjust hostilities of other Indians; and

will also, as soon as the boundaries of the Creek country west of the Mississippi are ascertained, cause a patent or grant to be executed to the Creek tribe, agreeably to the third section of the act of Congress of May 2d, 1830, entitled "An act to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi."

## ARTICLE XV.

This treaty shall be obligatory on the contracting parties, as soon as the same shall be ratified by the United States.

In testimony whereof, the said Lewis Cass, and the undersigned chiefs of the said tribe, have hereunto set their hands, at the city of Washington, this 24th day of March, A. D., 1832.

LEW. CASS,	
Opothleholo,	his x mark.
Tuchebatchcehadgo,	his x mark.
Efiematla,	his x mark.
Tuchebatche Micco,	his x mark.
Tomack Micco,	his x mark.
William McGilvery,	his x mark.
Benjamin Marshall.	

In the presence of

Samuel Bell.

William R. King.

John Tipton.

William Wilkins.

C. C. Clay.

J. Speight.

Samuel W. Mardis.

J. C. Isacks.

John Crowell, *I. A.*

Benjamin Marshall,

Thomas Carr,

John H. Brodnax,

} *Interpreters.*

Now, therefore, be it known, That I, Andrew Jackson, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the second of April, one thousand eight hundred and thirty-two, accept, ratify, and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this fourth day of April, in the year of our Lord one thousand eight hundred and thirty-two, and of the [ L. S. ] Independence of the United States the fifty-sixth.

ANDREW JACKSON.

By the President:

EWD. LIVINGSTON,  
*Secretary of State.*

*Treaty between the United States of America and the Shawnee tribe of Indians; concluded August 8, 1831. Ratified April 6, 1832.*

ANDREW JACKSON,

PRESIDENT OF THE UNITED STATES OF AMERICA,

*To all and singular to whom these presents shall come, greeting:*

Whereas, a treaty between the United States of America and the Shawnee tribe of Indians, was made and concluded at Wapaghkonnetta, on the eighth day of August, in the year of our Lord one thousand eight hundred and thirty-one, by James B. Gardiner, commissioner, and John McElvain, Indian agent for the Wyandots, Senecas, and Shawnees, on the part of the United States, and the principal chiefs, headmen, and warriors of the tribe of Shawnee Indians, residing at Wapaghkonnetta and Hog creek, in the State of Ohio, on the part of said tribe, which treaty is in the following words, to wit:

Articles of agreement and convention, made and concluded at Wapaghkonnetta, in the county of Allen, and State of Ohio, on the 8th day of August, in the year of our Lord one thousand eight hundred and thirty-one, by and between James B. Gardiner, specially appointed commissioner on the part of the United States, and John McElvain, Indian agent for the Wyandots, Senecas, and Shawnees, residing in the State of Ohio, on the one part, and the undersigned, principal chiefs, headmen, and warriors of the tribe of Shawnee Indians, residing at Wapaghkonnetta and Hog creek, within the territorial limits of the organized county of Allen, in the State of Ohio.

Whereas, the President of the United States, under the authority of the act of Congress, approved May 28, 1830, has appointed a special commissioner to confer with the different Indian tribes residing within the constitutional limits of the State of Ohio, and to offer for their acceptance the provisions of the before recited act:—and whereas, the tribe or band of Shawnee Indians residing at Wapaghkonnetta and on Hog creek in the said State, have expressed their perfect assent to the conditions of the said act, and their willingness and anxiety to remove west of the Mississippi river, in order to obtain a more permanent and advantageous home for themselves and their posterity: Therefore, in order to carry into effect the aforesaid objects, the following articles of convention have been agreed upon by the aforesaid contracting parties, which, when ratified by the President of the United States, by and with the advice and consent of the Senate thereof, shall be mutually binding upon the United States and the said Shawnee Indians.

#### ARTICLE I.

\* The tribe or band of Shawnee Indians residing at Wapaghkonnetta and on Hog creek, in the State of Ohio, in consideration of the stipulations herein made on the part of the United States, do forever cede, release, and quit claim to the United States, the lands granted to them by patent in fee simple, by the sixth section of the treaty made at the foot of the rapids of the Miami river of Lake Erie, on the 29th day of September, in the year of our Lord 1817, containing one hundred and twenty-five sections or square miles, and granted in two reservations, and described in the said sixth section of the aforesaid treaty, as follows: “A tract of land ten miles square.



the centre of which shall be the council-house at Wapaghkonnetta;" and "a tract of land containing twenty-five square miles, which is to join the tract granted at Wapaghkonnetta, and to include the Shawnee settlement on Hog creek, and to be laid off as nearly as possible in a square form;" which said two tracts or reservations of land were granted as aforesaid to the said Shawnee Indians by the patents, signed by the Commissioner of the General Land Office, and certified by the Secretary of War, dated the 20th day of April, 1821. Also, one other tract of land, granted to the said Shawnees by the second article of the treaty made at Saint Mary's, in the State of Ohio, on the 17th day of September, in the year 1818, and described therein as follows: "Twelve thousand eight hundred acres of land, to be laid off adjoining the east line of their reserve of ten miles square at Wapaghkonnetta;" making, in the whole of the aforesaid cessions to the United States by the aforesaid Shawnees, one hundred and forty-five sections or square miles, which includes all the land now owned or claimed by the said band or tribe of Shawnees in the State of Ohio.

#### ARTICLE II.

In consideration of the cessions stipulated in the foregoing article, the United States agree to cause the said tribe or band of Shawnees, consisting of about four hundred souls, to be removed in a convenient and suitable manner to the western side of the Mississippi river, and will grant by patent in fee simple, to them and their heirs forever, as long as they shall exist as a nation and remain upon the same, a tract of land to contain one hundred thousand acres, to be located under the direction of the President of the United States, within the tract of land equal to fifty miles square, which was granted to the Shawnee Indians of the State of Missouri by the second article of a treaty made at the city of Saint Louis, in said State, with the said Shawnees of Missouri, by William Clark, superintendent of Indian affairs, on the 7th day of November, in the year 1825; and in which it is provided that the grant aforesaid shall be for the Shawnee tribe of Indians within the State of Missouri, "and for those of the same nation now residing in Ohio, who may hereafter emigrate to the west of the Mississippi;" but if there should not be a sufficiency of good land unoccupied by the Shawnee Indians who have already settled on the tract granted as aforesaid by the said treaty of Saint Louis; then the tract of one hundred thousand acres, hereby granted to the said Shawnees of Ohio, parties to this compact, shall be located, under the direction of the President of the United States, on lands contiguous to the said Shawnees of Missouri, or on any other unappropriated lands within the district of country designed for the emigrating Indians of the United States.

#### ARTICLE III.

The United States will defray the expenses of the removal of the said band or tribe of Shawnees, and will moreover supply them with a sufficiency of good and wholesome provisions to support them for one year after their arrival at their new residence.

#### ARTICLE IV.

Out of the first sales to be made of the lands herein ceded by the said Shawnees, the United States will cause a good and substantial saw mill, and a grist mill, built in the best manner, and to contain two pair of stones and

a good bolting cloth, to be erected on the lands granted to the said Shawnees, west of the Mississippi; and said mills shall be solely for their use and benefit. The United States will, out of the sales of the ceded lands, as aforesaid, cause a blacksmith shop, (to contain all the necessary tools,) to be built for the said Shawnees, at their intended residence, and a blacksmith shall be employed by the United States, as long as the President thereof may deem proper, to execute all necessary and useful work for said Indians.

## ARTICLE V.

In lieu of the improvements which have been made on the lands herein ceded, it is agreed that the United States shall advance to the said Shawnees (for the purpose of enabling them to erect houses and open farms at their intended residence,) the sum of thirteen thousand dollars, to be reimbursed from the sales of the lands herein ceded by them to the United States. A fair and equitable distribution of this sum shall be made by the chiefs of the said Shawnees, with the consent of the people, in general council assembled, to such individuals of their tribe who have made improvements on the lands herein ceded, and may be properly entitled to the same.

## ARTICLE VI.

The farming utensils, live stock, and other chattel property, which the said Shawnees now own, and may not be able to carry with them, shall be sold, under the superintendence of some suitable person, appointed by the Secretary of War for that purpose, and the proceeds paid over to the owners of such property respectively.

## ARTICLE VII.

The United States will expose to public sale to the highest bidder, in the manner of selling the public lands, the tracts of land herein ceded by the said Shawnees. And, after deducting from the proceeds of such sales the sum of seventy cents per acre, exclusive of the cost of surveying, the cost of the grist mill, saw mill, and blacksmith shop, and the aforesaid sum of thirteen thousand dollars, to be advanced in lieu of improvements; it is agreed that any balance which may remain of the avails of the lands, after sale as aforesaid, shall constitute a fund for the future necessities of said tribe, parties to this compact, on which the United States agree to pay to the chiefs, for the use and general benefit of their people, annually, five per centum on the amount of said balance, as an annuity. Said fund to be continued during the pleasure of Congress, unless the chiefs of the said tribe or band, by and with the consent of their people, in general council assembled, should desire that the fund thus to be created, should be dissolved and paid over to them; in which case, the President shall cause the same to be so paid, if, in his discretion, he shall believe the happiness and prosperity of the said tribe would be promoted thereby.

## ARTICLE VIII.

It is agreed that any annuities, accruing to the said band or tribe of Shawnees, by former treaties, shall be paid to them at their intended residence west of the Mississippi, under the direction of the President.

## ARTICLE IX.

In consideration of the good conduct and friendly dispositions of the said band of Shawnees towards the American Government, and as an earnest of the kind feelings and good wishes of the people of the United States for the future welfare and happiness of the said Shawnees, it is agreed that the United States will give them, as presents, the following articles; to be fairly divided by the chiefs among their people, according to their several necessities, to wit: two hundred blankets, forty ploughs, forty sets of horse gears, one hundred and fifty hoes, fifty axes, and Russia sheeting sufficient for fifty tents; the whole to be delivered to them, as soon as practicable, after their arrival at their new residence, except the blankets and Russia sheeting, which shall be given previously to their removal.

## ARTICLE X.

The lands granted by this agreement and convention to the said band or tribe of Shawnees, shall not be sold nor ceded by them, except to the United States. And the United States guaranty that said lands shall never be within the bounds of any State or Territory, nor subject to the laws thereof; and further, that the President of the United States will cause said tribe to be protected at their intended residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever, and he shall have the same care and superintendence over them, in the country to which they are to remove, that he has heretofore had over them at their present place of residence.

## ARTICLE XI.

It is understood by the present contracting parties that any claims which Francis Duchouquet may have, under former treaties, to a section or any quantity of lands herein ceded to the United States, are not to be prejudiced by the present compact, but to remain as valid as before.

## ARTICLE XII.

In addition to the presents given in the ninth article of this convention, it is agreed that there shall also be given to the said Shawnees, twenty-five rifle guns, to be distributed in the manner provided in said ninth article.

## ARTICLE XIII.

At the request of the chiefs, there is granted to Joseph Parks, a quarter blooded Shawnee, one section of land to contain six hundred and forty acres, and to include his present improvements at the old town near Wapaghkonnetta, in consideration of his constant friendship and many charitable and valuable services towards the said Shawnees:—and at the request of the chiefs, it is also stipulated that the price of an average section of the lands herein ceded, shall be reserved in the hands of the Government, to be paid to their friends, the Shawnees who now reside on the river Huron in the Territory of Michigan, for the purpose of bearing their expenses, should they ever wish to follow the Shawnees of Wapaghkonnetta and Hog creek to their new residence west of the Mississippi.

## ARTICLE XIV.

At the request of the chiefs, it is agreed that they shall be furnished with two cross-cut saws for the use of their tribe; and also that they shall receive

four grindstones annually for the use of their people, to be charged upon the surplus fund. And they shall further receive, as presents, ten hand-saws, ten drawing knives, twenty files, fifty gimblets, twenty augers of different sizes, ten planes of different sizes, two braces and bits, four hewing axes, two dozen scythes, five frows, and five grubbing hoes.

In testimony whereof, the said James B. Gardiner, specially appointed commissioner on the part of the United States, and John McElvain, Indian agent as aforesaid, and the said chiefs, warriors, and headmen of the said Shawnees of Wapaghkonnetta and Hog creek, have hereunto set their hands and seals, at Wapaghkonnetta, this eighth day of August, in the year of our Lord one thousand eight hundred and thirty-one.

JAMES B. GARDINER, [L. S.]

JOHN McELVAIN, [L. S.]

Lauloway, or John Perry,	his x mark. [L. S.]
Nolesimo, or Henry Clay,	his x mark. [L. S.]
Peatucker, or McNear,	his x mark. [L. S.]
P. H. Tha,	his x mark. [L. S.]
Wiwelipea,	his x mark. [L. S.]
Quarky,	his x mark. [L. S.]
Letho,	his x mark. [L. S.]
Naecimo, or Little Fox,	his x mark. [L. S.]
Pamothaway, or George Williams,	his x mark. [L. S.]
Squeawpowee, or George McDougal,	his x mark. [L. S.]
Lawathtucker, or John Wolf,	his x mark. [L. S.]
Thothweilaw, or Bright Horn,	his x mark. [L. S.]
P. H. Thawtaw, or Peter Cornstock,	his x mark. [L. S.]
Saucothcaw, or Spy Buck,	his x mark. [L. S.]
Chawwee, or Thawquotaway, or Big Man,	his x mark. [L. S.]
Jakescaw, or Capt. Tom,	his x mark. [L. S.]
Quelenné,	his x mark. [L. S.]
Chisscaw,	his x mark. [L. S.]
Chupehecaw, or Old Big Knife,	his x mark. [L. S.]
Be dee dee, or Big Jim,	his x mark. [L. S.]

Signed and sealed in presence of us,

Wm. Walker, *Sec'y to the Commissioners.*

David Robb, *Sub-agent.*

John McLaughlin.

Alexander Thomson.

Henry Harvey.

John Elliot.

Amos Kenworthy.

John Armstrong.

Jeremiah A. Dooley.

Warpole, *a Wyandot Chief*, his x mark.

Tashneewau, *Ottoway Chief*, his x mark.

Francis Johnston.

John Gunn.

James S. Chewers.

A. D. Kinnard.

Pay ton quout, *Ottoway Chief*, his x mark.

I hereby certify that the several articles in the foregoing treaty have been fairly interpreted and fully explained to the chiefs, headmen, and warriors of the Shawnee band or tribe, who have signed the same.

JOSEPH PARKS, his x mark.

*U. S. Interpreter.*

Now, therefore, be it known, that I, Andrew Jackson, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the fourth of April one thousand eight hundred and thirty-two, accept, ratify, and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this sixth day of April, in the year of

[L. s.] our Lord one thousand eight hundred and thirty-two, and  
of the Independence of the United States the fifty-sixth.

ANDREW JACKSON.

By the President:

EDW. LIVINGSTON, *Secretary of State.*

---

*Treaty between the United States of America and the mixed bands of the Senecas and Shawnee Indians; concluded July 20, 1831. Ratified April 6, 1832.*

ANDREW JACKSON,

PRESIDENT OF THE UNITED STATES OF AMERICA.

*To all and singular to whom these presents shall come, greeting:*

Whereas, a treaty between the United States of America and the mixed bands of Senecas and Shawnee Indians, was made and concluded at Lewistown, in the State of Ohio, on the twentieth day of July, in the year of our Lord one thousand eight hundred and thirty one, by James B. Gardiner, commissioner, and John McElvain, Indian agent for the Wyandots, Senecas, and Shawnees, on the part of the United States, and certain chiefs and warriors of said mixed band of Senecas and Shawnee Indians, residing at and around the said Lewistown, on the part of said band; which treaty is in the following words, to wit:

Articles of agreement and convention made and concluded at Lewistown, in the county of Logan, and State of Ohio, on the twentieth day of July, in the year of our Lord one thousand eight hundred and thirty-one, by and between James B. Gardiner, specially appointed commissioner on the part of the United States, and John McElvain, Indian agent for the Wyandots, Senecas, and Shawnees, on the one part, and the undersigned principal chiefs and warriors of the mixed band of Senecas and Shawnee Indians residing at and around the said Lewistown, of the other part, for the cession of the lands now owned and occupied by said band, lying on the waters of the Great Miami river, and within the territorial limits of the organized county of Logan, in said State of Ohio.

Whereas the President of the United States, under the authority of the act of Congress, approved May 28th, 1830, has appointed a special commis-



sioner to confer with the different Indian tribes residing within the constitutional limits of the State of Ohio, and to offer for their acceptance the provisions contained in the before recited act; and whereas the mixed band or tribes of Seneca and Shawnee Indians residing at and around Lewistown, in said State, have expressed their perfect assent to the conditions of said act, and their willingness and anxiety to remove west of the Mississippi river, in order to obtain a more permanent and advantageous home for themselves and their posterity: Therefore, in order to carry into effect the aforesaid objects, the following articles have been agreed upon by the aforesaid contracting parties; which, when approved by the President and ratified by the Senate of the United States, shall be mutually binding upon the United States and the said Seneca and Shawnee Indians.

## ARTICLE I.

The Seneca and Shawnee Indians residing at and around Lewistown, in the State of Ohio, in consideration of the stipulations herein made on the part of the United States, do forever cede, release, and quit claim to the United States, the lands granted to them by patent in fee simple by the sixth article of the treaty made at the foot of the rapids of the Miami river of Lake Erie, on the twenty-ninth day of September, in the year 1817, containing forty-eight square miles, and described in said treaty as follows: "Beginning at the intersection of the line run by Charles Roberts, in the year one thousand eight hundred and twelve, from the source of the Little Miami river, to the source of the Scioto river, in pursuance of instructions from the commissioners appointed on the part of the United States to establish the western boundary of the Virginia military reservation, with the Indian boundary line established by the treaty of Greenville, in one thousand seven hundred and ninety-five, from the crossings above Fort Lawrence to Loramie's store, and to run from such intersection, northerly, with the first mentioned line, so as to include the quantity as nearly in a square form as practicable, after excluding the section of land granted to Nancy Stewart." And the said Senecas and Shawnees also cede to the United States, in manner aforesaid, one other tract of land, reserved for them by the second article of the treaty made at St. Mary's, in Ohio, on the seventeenth of September, in the year 1818, which tract is described in said treaty, as follows: "Eight thousand nine hundred and sixty acres, to be laid off adjoining the west line of the reserve of forty-eight square miles at Lewistown."

## ARTICLE II.

In consideration of the cessions stipulated in the foregoing article, the United States agree to cause the said band of Senecas and Shawnees, consisting of about three hundred souls, to be removed in a convenient and suitable manner to the western side of the Mississippi river, and will grant by patent, in fee simple, to them and their heirs forever, as long as they shall exist as a nation and remain on the same, a tract of land to contain sixty thousand acres, to be located under the direction of the President of the United States, contiguous to the lands granted to the Senecas of Sandusky, by the treaty made with them at the city of Washington on the 28th of February, 1831, and the Cherokee settlements: the east line of said tract shall be within two miles of the west line of the lands granted to the Senecas of Sandusky; and the south line shall be within two miles of the north line of the lands held by the Cherokees; and said two miles between

the aforesaid lines, shall serve as a common passway between the before mentioned tribes, to prevent them from intruding upon the lands of each other.

#### ARTICLE III.

The United States will defray the expense of the removal of the said Senecas and Shawnees, and will moreover supply them with a sufficiency of good and wholesome provisions to support them for one year after their arrival at their new residence.

#### ARTICLE IV.

Out of the first sales to be made of the lands herein ceded by the said Senecas and Shawnees, the United States will cause a saw mill and a blacksmith shop to be erected on the lands granted to the said Indians west of the Mississippi, with all necessary machinery and tools, to be supported and kept in operation at the expense of the United States, for the mutual and sole benefit of the said Senecas and Shawnees; and the United States will employ a blacksmith to execute the necessary work for the said Indians, for such time as the President of the United States, in his discretion, may think proper.

#### ARTICLE V.

In lieu of the improvements which have been made on the lands herein ceded, it is agreed that the United States shall advance to the said Senecas and Shawnees the sum of six thousand dollars, to be reimbursed from the sales of the lands herein ceded by them to the United States. A fair and equitable distribution of this sum shall be made by the chiefs of the said Senecas and Shawnees, with the consent of their tribes, in general council assembled, to such individuals of the tribes as, having left improvements, may be properly entitled to the same.

#### ARTICLE VI.

The live stock, farming utensils, and other chattel property which the said Senecas and Shawnees now own, and may not be able to carry with them, shall be sold under the superintendence of some suitable person appointed by the Secretary of War, and the proceeds paid over to owners of such property respectively.

#### ARTICLE VII.

The said Senecas and Shawnees shall be removed to their new residence, under the care and protection of some competent and proper person friendly to them, and acquainted with their habits, manners, and customs; and the chiefs of the said tribes shall have the privilege of nominating such person to the President, who, if approved of by him, shall have charge of their conveyance.

#### ARTICLE VIII.

The United States will expose to public sale, to the highest bidders, in the manner of selling the public lands, the tracts of land herein ceded by the Senecas and Shawnees; and, after deducting from the proceeds of such sale the sum of seventy cents per acre, exclusive of the cost of surveying the lands, the cost of the saw mill and blacksmith shop, and the sum of six

thousand dollars to be advanced in lieu of the improvements on the ceded lands, it is agreed that any balance which may remain of the lands after sale as aforesaid, shall constitute a fund for the future necessities of said tribes, on which the Government of the United States agree and consent to pay to the chiefs, for the use and general benefit of the said tribes, annually, five per cent. on the amount of the said balance, as an annuity. Said fund to be continued during the pleasure of Congress, unless the chiefs of the said tribes, by and with the consent of the whole of their people, in general council assembled, should desire that the fund thus to be created should be dissolved and paid over to them, in which case, the President shall cause the same to be paid over, if, in his discretion, he shall think the happiness and prosperity of said tribes would be promoted thereby.

## ARTICLE IX.

It is agreed that any annuities accruing to the said Senecas and Shawnees, by former treaties, shall be paid to them at their intended residence west of the Mississippi under the direction of the President.

## ARTICLE X.

In consideration of the former good conduct and friendly disposition of the aforesaid band of Senecas and Shawnees towards the American Government, and as an earnest of the kind feelings and good wishes of their great father, for the future welfare and happiness of themselves and their posterity, it is agreed that the United States will give them, as presents, the following articles, to wit: one hundred blankets, twenty ploughs, one hundred hoes, fifty axes, ten rifles, twenty sets of horse gears, and Russia sheeting sufficient to make forty tents, the whole to be delivered to them as soon as practicable, after their arrival at their new residence, except the blankets and the Russia sheeting for the tents, which shall be given at the time of their setting out on their journey, all of said articles to be distributed by the chiefs according to the just claims and necessities of their people.

## ARTICLE XI.

The lands granted by this agreement and convention, to the said band of Senecas and Shawnees, shall not be sold or ceded by them, except to the United States. And the United States guaranty that said lands shall never be within the bounds of any State or Territory, nor subject to the laws thereof; and further, that the President of the United States will cause said tribes to be protected at their new residence, against all interruption or disturbance from any other tribe or nation of Indians, or from any other person or persons whatever; and he shall have the same care and superintendence over them in the country to which they design to remove, that he has heretofore had over them at their present place of residence.

## ARTICLE XII.

At the request of the chiefs of the Senecas and Shawnees, there is granted to James McPherson one half section of land, to contain three hundred and twenty acres, to be laid off in such part of the lands here ceded as he may select, so that the said half section shall adjoin the land heretofore donated to him, near the southeast corner of that part of the lands herein ceded, which was assigned to the Shawnees by the second article of the treaty made at St. Mary's, on the 17th of September, 1818. And this grant is made, in

consideration of the sincere attachment of the said chiefs and their people for the said James McPherson, who has lived among them and near them for forty years, and from whom they have received numerous and valuable services and benefits; and also in consideration of the able and candid manner in which he has explained to the Indians the policy of the United States in regard to the future welfare and permanent settlement of the Indian tribes.

#### ARTICLE XIII.

At the request of the aforesaid chiefs, there is hereby granted to Henry H. McPherson, an adopted son of their nation, a half section of land, to contain three hundred and twenty acres, to be added to a half section of land granted to him by the said chiefs, on the 20th day of March, 1821, and approved by the President of the United States, which is to be so laid off as to enlarge the last mentioned grant to a square section.

#### ARTICLE XIV.

At the special request of the aforesaid chiefs, one quarter section of land, to contain one hundred and sixty acres, is hereby granted to Martin Lane, their interpreter, who married a quarter blood Indian woman, and has lived a long time among the Senecas. The said quarter section is to be located under the direction of the President of the United States.

#### ARTICLE XV.

It is understood and agreed by the present contracting parties, that the words "the lands heretofore donated to him," in the 12th article of this treaty, have direct and sole reference to a *verbal* donation heretofore made by the said Senecas and Shawnees to the said McPherson; and that the intention is, that this treaty should confirm the former as well as the latter grant, so that the said McPherson is entitled to one whole section, to be located in the southeast corner of the Shawnee part of the lands herein ceded as aforesaid.

In testimony hereof, the present contracting parties respectively have signed their hands, and affixed their seals the day and year aforesaid, at Pleasant Plains, near Lewistown, in the State of Ohio.

JAMES B. GARDINER, [L. s.]

JOHN McELVAIN, [L. s.]

Methomea, or Civil John, his x mark. [L. s.]

Skilleway, or Robbin, his x mark. [L. s.]

Totala Chief, or John Young, his x mark. [L. s.]

Pewyache, his x mark. [L. s.]

Mingo Carpenter, his x mark. [L. s.]

John Jackson, his x mark. [L. s.]

Quashacaugh, or Little Lewis, his x mark. [L. s.]

James McDonnell, his x mark. [L. s.]

Honedee, or Civil John's Son, his x mark. [L. s.]

Run Fast, his x mark. [L. s.]

Yankee Bill, his x mark. [L. s.]

Cold Water, his x mark. [L. s.]

John Sky, his x mark. [L. s.]

Signed, sealed, and delivered in presence of us—

David Robb, *Sub-agent*.

James McPherson, *U. S. Interpreter*.

Joseph Parks, his x mark, *U. S. Interpreter*.

N. Z. McColloch.

H. E. Spencer.

Wm. Rianhard.

John Shelby.

Alexander Thomson.

H. B. Strother.

Benj. S. Brown.

D. M. Workman.

R. Patterson.

A O. Spencer.

Jas. Stewart.

Stephen Giffin.

I do hereby certify, that each and every article of the foregoing convention and agreement was carefully explained and fully interpreted by me to the chiefs, headmen, and warriors, who have signed the same.

MARTIN LANE, *U. S. Interpreter*. [L. s.]

Now, therefore, be it known, that I, Andrew Jackson, President of the United States of America, having seen and considered said treaty, do, in pursuance of the advice and consent of the Senate, as expressed by their resolution of the fourth of April, one thousand eight hundred and thirty-two, accept, ratify, and confirm the same, and every clause and article thereof.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this sixth day of April, in the year of our Lord, one thousand eight hundred and thirty-two, and of the Independence of the United States the fifty-sixth.

ANDREW JACKSON.

By the President:

EDW. LIVINGSTON, *Secretary of State*.